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ZONE OF PEACE AND COOPERATION OF THE SOUTH ATLANTIC

Letter dated 30 September 1994 by the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the documents adopted by the third meeting of States members of the zone of peace and cooperation of the South Atlantic, held in Brasilia on 21 and 22 September 1994, in their English (original), French and Spanish versions.

I should be grateful if you would have the present letter and its annexes distributed as a document of the General Assembly under agenda item 30.

(Signed) Ronaldo Mota SARDENBERG
Ambassador
Permanent Representative of Brazil
to the United Nations

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ANNEX I

[Original: English, French and Spanish]

Final Declaration adopted at the third meeting of States members of the zone of peace and cooperation of the South Atlantic

The representatives of the States members of the zone of peace and cooperation of the South Atlantic (ZPCSA), meeting in Brasilia, on 21 and 22 September 1994,

1. Warmly welcome the holding of the first democratic elections and the establishment of a new Government in the Republic of South Africa, events which favour the creation of renewed conditions of coexistence and cooperation in the South Atlantic region, and are of great importance for the consolidation of the zone of peace and cooperation of the South Atlantic;

2. Warmly welcome South Africa into membership of the zone;

3. Recall the conclusions of the second high-level meeting, which took place in Abuja, Nigeria, from 25 to 29 July 1990, and stress the need to hold such meetings in member States on a regular basis, as from 1994;

4. Congratulate the Government of Nigeria for its valuable work as Coordinator of the zone since the Abuja meeting;

5. Welcome the offer made by the Government of Namibia to host a meeting of Ministers of Trade and Industry of the zone in early 1995;

6. Congratulate the Governments of Namibia and South Africa for the peaceful resolution of the Walvis Bay and offshore islands dispute, in accordance with United Nations Security Council resolution 432 (1978) of 27 July 1978;

7. Examine the evolution of the international situation since the last meeting of the States of the zone and conclude that the end of the cold war has created favourable conditions for greater understanding and cooperation within the zone;

8. Reaffirm the validity of the zone as a relevant instrument for cooperation among South Atlantic countries, as well as the capacity of this forum to contribute to international peace and security; and agree on the need to increase efforts with a view to reinforcing its role as a regional instrument of cooperation;

9. Agree that the cooperation among the countries of the zone must be viewed as a whole, in order to build a solid basis for increased cooperation in all areas with potential for joint action, especially the economic, technological, environmental, cultural and sporting fields;

10. Agree also that the zone is a suitable forum for promoting cooperation based on the respect for sovereignty and territorial integrity of States and other relevant principles of international law, and the right of all peoples to freely determine their economic and political systems;

11. Agree to encourage democracy and political pluralism and, in accordance with the 1993 Vienna Declaration on Human Rights, a/ to promote and defend human rights and fundamental freedoms; also agree to cooperate towards the achievement of these goals;

12. Emphasize the importance of achieving the goals of the 1964 Declaration of the Organization of African Unity on the Denuclearization of Africa, b/ and of the 1967 Treaty on the Prohibition of Nuclear Weapons in Latin America and the Caribbean, c/ known as the Treaty of Tlatelolco, as well as those of its Protocols and I and II;

13. Express their determination to eliminate all weapons of mass destruction from the zone and reiterate their conviction that the implementation and deepening of appropriate confidence-building measures among the member States of the zone will contribute to achieving the objectives of peace and cooperation of the zone;

14. Reaffirm the importance of preventive diplomacy, peacemaking, peace-keeping, and peace-building as suitable means for the maintenance of international and regional peace and security, as contained in the report of the Secretary-General of the United Nations, entitled "An agenda for peace", d/ and resolutions 47/120 A of 18 December 1992 and 47/120 B of 20 September 1993;

15. Confirm their support for the efforts of the Angolan Government to attain peace, and express their hope for a speedy, satisfactory conclusion to the Lusaka negotiations, reiterating their conviction that the spirit and terms of the Bicesse Agreements e/ should be adhered to; call for the respect of the results achieved in the free and fair elections held in 1992; congratulate the Secretary-General's Representatives for their invaluable mediation efforts, expressing their hope that the positive developments in the negotiations may finally lead to a definitive solution to the conflict in Angola, so as to ensure the consolidation of peace and democracy, as well as the reconstruction of that country;

16. Note that, despite the considerable efforts of the Economic Community of West African States in collaboration with the Organization of African Unity and the United Nations, it has not as yet been possible to restore peace in Liberia; accordingly, urge the parties to the conflict in Liberia to observe the terms of the Cotonou Agreement, f/ as demanded by the summit meeting of the Economic Community of West African States, held on 5 and 6 August 1994 in Abuja, Nigeria; and encourage the international community to maintain and increase financial support, so as to enable the troops of the Economic Community of West African States Military Observer Group and of the Organization of African Unity to carry out their mandates in restoring peace in Liberia;

17. Stress the importance, to the zone, of the results of the United Nations Conference on Environment and Development, held in Rio de Janeiro from

3 to 14 July 1992, highlighting, as a remarkable result, the adoption of the Rio Declaration on Environment and Development g/ and Agenda 21 h/ and, in the same context, recognize the importance in conceptual terms, and as a programme, of the conventions on climate change i/ and on biological diversity, j/ and the Convention to combat desertification k/ in the belief that the full implementation of these instruments will reinforce the basis of coexistence and cooperation among the countries of the zone;

18. Underline the need for the States of the zone to increase their cooperation in the environmental field, particularly as regards coastal management and the transport and disposal of toxic waste and other pollutants in the South Atlantic; and, in this regard, reaffirm the importance of the Basel l/ and Bamako m/ Conventions;

19. Welcome and endorse the Declaration on the Marine Environment in the zone, which is based on the relevant provisions of Agenda 21, n/ particularly chapter 17, and is in conformity with the United Nations Convention on the Law of the Sea; n/

20. Re-examine the international economic environment and affirm the increasing importance of greater cooperation in economic and financial matters; agree, in this connection, that coordinating their efforts in various forums would significantly contribute to achieving the aims of the zone; in particular, take note, with satisfaction, of United Nations General Assembly resolution 47/181 of 22 December 1992; affirm the relevance of the preparation, on the threshold of the twenty-first century, of "An agenda for development" and recommend that States Members of the United Nations give full support to the United Nations Secretary-General in his task of preparing that document;

21. Call for the abolition of unfair trade practices and express their desire for a more just and more open multilateral trade system for the benefit of welfare of their peoples; bearing in mind the conclusions of the Uruguay Round of Multilateral Trade Negotiations, urge parties to avoid trade measures that would undermine the implementation of its results and adversely affect the economic situation of other nations;

22. Emphasize the role of regional and subregional integration in improving international competitiveness of national economies and contributing to the development process;

23. Welcome the forthcoming institutionalization of the Community of Portuguese-Speaking Countries, whose aims coincide with and strengthen the major goals of peace and cooperation of the zone;

24. Declare that scientific and technical cooperation are of fundamental importance and, in this sense, stress the need to promote an exchange of information on research and development in the South Atlantic region;

25. Decide to broaden the scope of studies and intensify contacts aimed at developing business and tourist cooperation, through business missions, trade fairs and exhibitions, as well as joint ventures and other activities geared to increasing trade and tourism among the States of the zone;

26. Decide to promote and develop direct air, sea and telecommunications links within the zone;

27. Express their concern over the continued spread of traffic of narcotic drugs and psychotropic substances, and the enormous danger it poses to society, agreeing that it calls for joint action to address the problem;

28. Welcome the offer made by South Africa to host a meeting of senior officials on the question of trafficking in narcotic drugs and psychotropic substances as soon as possible;

29. Welcome the offer made by the Government of Brazil to host a meeting, in early 1995, of high-level authorities of the States of the zone in the fields of sports and youth matters;

30. Express their conviction that the zone will continue to be an active instrument for enhancing intraregional and interregional cooperation and, in this respect, commit themselves to promoting the objectives of the zone;

31. Welcome the offers made by the Governments of South Africa, Argentina and Benin to host the fourth, fifth and sixth Ministerial meetings of the zone of peace and cooperation of the South Atlantic in 1995, 1996, 1997, respectively;

32. Congratulate the Government of Brazil for its enthusiasm and effort in seeking to confer renewed vitality to the zone of peace and cooperation of the South Atlantic.

Notes

a/ A/CONF.157/23.

b/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

c/ United Nations, Treaty Series, vol. 634, No. 9068.

d/ A/47/277-S/24111; see Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992, document S/24111.

e/ See the Peace Accords for Angola, Official Records of the Security Council, Forty-sixth Year, Supplement for April, May and June 1991, document S/22609, annex.

f/ Agreement relating to the situation in Liberia (S/22609, annex).

g/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigenda, resolution 1, annex I).

h/ Ibid., annex II.

i/ United Nations Framework Convention on Climate Change (A/AC.237/18 (Part II)/Add.1 and Corr.1, annex I).

j/ See United Nations Environment Programme, Convention on Biological Diversity (Environmental Law and Institutions Programme Activity Centre), June 1992.

k/ International Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, particularly in Africa (A/AC.241/27).

l/ Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, Basel, 1989, International Legal Material, vol. 28, p. 657.

m/ Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, 1991, International Legal Material, vol. 30, 1991 and vol. 31, 1992.

n/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

ANNEX II

[Original: English, French and Spanish]

Declaration on the Denuclearization of the South Atlantic adopted at the third meeting of States members of the zone of peace and cooperation of the South Atlantic

The States of the zone of peace and cooperation of the South Atlantic,

Determined to continue to contribute to the process of general and complete disarmament, under effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security,

Stressing the growing importance of the symbiotic relationship between disarmament and development in current international relations, and recognizing the importance of promoting social and economic development and international cooperation on the peaceful uses of nuclear energy, all of which would contribute significantly to the achievement of the objectives of the zone,

Recalling the principles and norms of international law applicable to the maritime space, in particular the use of the high seas for peaceful uses and the freedom of navigation and overflight,

1. Reaffirm the commitment made by the States of the zone of peace and cooperation of the South Atlantic to prevent the proliferation of nuclear weapons, in accordance with internationally recognized legal instruments;

2. Welcome the recent progress towards the full entry into force of the Treaty of Tlatelolco a/ for all States in Latin America and the Caribbean, which will permit the consolidation in the near future of the statute of the whole region as a nuclear-weapon-free zone;

3. Welcome further the efforts made towards the implementation of the Declaration on the Denuclearization of Africa b/ leading to the conclusion of a treaty on a nuclear-weapon-free zone in Africa;

4. Urge all States to take effective measures to prevent the proliferation of nuclear weapons and other weapons of mass destruction in all its aspects and ultimately to eliminate such weapons;

5. Solemnly declare their objective to turn the South Atlantic region into a nuclear-weapon-free zone, and accordingly shall undertake all efforts to prohibit and prevent, in their respective territories and jurisdictional waters, the testing, use, manufacture, production, acquisition, receipt, storage, installation, deployment and possession of any nuclear weapon, as well as to refrain from engaging in, encouraging or authorizing, directly or indirectly, any of these activities in the South Atlantic;

6. Urge all States to fully respect the status of the zone of peace and cooperation of the South Atlantic.

Notes

a/ United Nations, Treaty Series, vol. 634, No. 9068.

b/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

ANNEX III

[Original: English, French and Spanish]

Declaration on the Marine Environment adopted at the third meeting of States members of the zone of peace and cooperation of the South Atlantic

The States members of the zone of peace and cooperation of the South Atlantic,

Reaffirming their determination to develop and strengthen their cooperation to promote the purposes and objectives of the zone;

Emphasizing the importance of the United Nations Convention on the Law of the Sea a/ as an instrument regulating the uses of the oceans and their resources in a manner consistent with the interests of all nations;

Drawing upon Agenda 21 b/ for the planning and the development of their efforts to manage the coastal and ocean environment in the zone;

Acknowledging that the marine environment forms an integrated whole that is an essential component of global life and presents unique opportunities for sustainable development;

Emphasizing the importance of the preservation of the region's environment and recognizing the threat that pollution poses to the marine and coastal environment, its ecological balance and its resources;

Reaffirming the need for an integrated rather than sectoral management of the coastal and ocean environment and for obtaining the necessary means to ensure its integrated management;

Aware of the dependence of many coastal communities on the marine living resources and of the importance of the development of national fisheries;

Desirous to pursue new forms of integrated management and development of coastal and ocean areas that include the application of the "precautionary principle" to the extent of existing possibilities;

Recognizing the need to promote institutional arrangements to uphold the implementation of programmes for the protection of coastal and ocean areas as well as the development of their economic resources;

Declare that they should:

1. Exchange information and render each other assistance on practical matters relating to the implementation of the United Nations Convention on the Law of the Sea, a/ in particular national legislation on areas such as:

(a) Development of skills and capabilities in the marine sector;

(b) Protection and preservation of the marine environment;

2. Take all necessary steps to prevent, reduce and control degradation of the marine environment resulting from the adverse effects of human activities;

3. Protect the coastal and marine environments - including coastal wetlands, nursery and spawning areas as well as other oceanic environments recognized for their importance to the life cycle of living resources - from destruction, degradation and other significant adverse impacts and, where necessary, rehabilitate such environments;

4. Give effect to integrated management and sustainable development of the coastal and marine environment under their national jurisdiction;

5. Take action at national and regional levels to prevent and eliminate pollution of the sea from land-based, sea-based or other sources in such a manner that the marine ecosystem will continue to sustain the legitimate uses of the seas, and maintain and improve its life-support and productive capacities;

6. Cooperate to prevent the introduction into the zone of wastes and other matters, such as toxic, harmful or noxious substances, industrial waste or sewage sludge, in particular for their disposal at sea and adopt preventive forms of activity that include contingency procedures in case of accidents and liability for the discharge of toxic products at sea;

7. Keep under surveillance, within the scope of their capabilities, the effects of activities in the zone, even those not prohibited by international law, in order to determine whether these activities are likely to adversely affect the marine environment, in a significant way;

8. Undertake appropriate efforts towards the full exercise of their rights in their respective exclusive economic zones and in the continental shelf and, in order to achieve the social and economic benefits of their exploitation, consider resorting to bilateral or multilateral means in the territories of other member States where the scientific, technological and economic capacity may be utilized with a view to:

(a) Improving the productivity of species and the preservation of marine habitats, through mutual assistance to develop capabilities to identify, explore and exploit the natural resources of their respective exclusive economic zones;

(b) Cooperating for the preservation of biological diversity, by the use of better methods for assessment of marine diversity and identification of endangered species, critical coastal and ocean habitats and the need for establishment of protected areas;

(c) Enhancing their capability to conserve, manage, and develop their own national fisheries through appropriate efforts to obtain assistance, including technological and technical assistance, from global, regional and subregional organizations;

9. Give due consideration to the needs of small-scale fisheries, and fish-farming communities, in particular in the area of education and training of fishing communities on responsible fishing;

10. Cooperate, as appropriate, and seek new financial resources from multilateral financial institutions or international organizations for the development of projects in the exploitation, management and conservation of marine living resources;

11. Widely apply precautionary approaches to fisheries management, adopting measures which aim at reducing the risk of damage to the marine living resources and the environment, taking full account of the best scientific and technical knowledge available;

12. Endeavour to develop conditions for participation in fishing of straddling and highly migratory fish stocks on the high seas and ensure their conservation and management;

13. Effectively exercise its jurisdiction and control over vessels flying their flag and ensure that those vessels do not engage in any activity that undermines national or international measures of conservation and management of marine living resources;

14. Cooperate to achieve measures for the conservation and management of straddling and highly migratory fish stocks on the high seas that are consistent with the measures established by coastal States for the same stocks;

15. Take measures beyond their exclusive economic zones, to preserve and protect their rights and interests, from pollution or threat of pollution or from harmful fishing practices such as overfishing;

16. Promote marine scientific research in the zone at national, regional and international levels;

17. Encourage arrangements between national universities and institutions engaged in marine scientific research for mutual cooperation and assistance;

18. Encourage symposia, seminars, lectures and other meetings of experts in the various fields covered in this Declaration;

19. Cooperate to acquire technological knowledge and instruments necessary for scientific research aimed at exploration and exploitation of living and non-living resources, as well as the prevention and effective control of marine pollution, bearing in mind the importance of direct cooperation among their national institutions;

20. Adopt measures designed for enhanced national capacity-building and human resources development, including the identification of their training requirements and of the facilities each State may provide on all technical and scientific areas required for activities in the marine environment;

21. Exchange information on experiences and, when applicable, share expertise with member States on the elaboration of national programmes and legislation;

22. Explore other forms of cooperation available through existing bilateral and multilateral channels for the benefit of development and capacity-building in all areas of concern expressed in this Declaration;

23. Indicate focal points for the exchange of information necessary for the realization of the objectives contained in the present Declaration, including the establishment of databases that may be relevant to the improvement of scientific knowledge of the marine environment.

Notes

a/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

b/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolution Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigenda, resolution 1, annex II).

ANNEX IV

[Original: English, French and Spanish]

Declaration on Business Cooperation in the South Atlantic adopted at the third meeting of States members of the zone of peace and cooperation of the South Atlantic

The representatives of the States of the zone of peace and cooperation of the South Atlantic,

Expressing their desire to foster and intensify economic and commercial exchange, through cooperation among businessmen of the South Atlantic region;

Recognizing the need to strengthen commercial cooperation links among the States of the zone with a view to encouraging exchange of information regarding trade in relevant sectors within the zone;

Noting the desire to encourage exchange of information on trade, industry and tourism, to promote the establishment of business cooperation mechanisms among the States of the zone, and to facilitate trade missions - particularly of small and medium-size enterprises;

Acknowledging the importance of developing direct air, sea and telecommunications links between the States of the zone;

1. Decide to establish a permanent working party with a view to examining ways and means to achieve the above-mentioned objectives;

2. Request the Permanent Working Party to submit its recommendations at the next meeting of the States members of the zone of peace and cooperation of the South Atlantic.

ANNEX V

[Original: English, French and Spanish]

Decision adopted at the third meeting of States members of the zone of peace and cooperation of the South Atlantic

Inter-sessional follow-up mechanism

The representatives of the States members of the zone of peace and cooperation of the South Atlantic,

Considering that the member States have successfully met on an informal basis in the interim between their first three meetings,

Stressing the need to establish a formal inter-sessional mechanism for coordinating the follow-up of decisions made at the Brasilia meeting and on subsequent occasions, so as to ensure the continuity of dialogue between the zone countries,

Hereby decide that:

1. Representatives of the States members of the zone of peace and cooperation in the South Atlantic (ZPCSA) in New York be formally designated "The ZPCSA Permanent Committee";

2. The Committee shall henceforward have a mandate to present specific proposals, receive suggestions and guarantee follow-up for issues treated within the sphere of the zone, as well as to recommend the convening of extraordinary meetings at Ministerial level, as may be necessary;

3. The Chairmanship be exercised by the representative of the country which hosted the last meeting of the zone and shall coordinate the activities of the zone until the next meeting;

4. The Bureau of the Permanent Committee, which shall determine its own methods of work, be composed of the representatives of the host countries of the last, the current and the next meetings of the States of the zone.